

Page 11 of 12

RECEIVED
CENTRAL FAX CENTER
JUL 06 2006**I. REMARKS/ARGUMENTS****A. Drawings**

The Examiner objected to the drawings because reference signs 120, 142, and 146 appeared to be missing. Applicant respectfully disagrees with the Examiner. In viewing Figure 5B as filed and as published, reference numerals 120, 142, and 146 are shown. If this is not adequate, Applicant respectfully requests further clarification from the Examiner.

The Examiner also objected to the drawings because reference characters 80 and 86 were both used to designate the seat assembly support tube. Rather than amend the drawings, the specification has been amended to replace the paragraph found on page 8, lines 25-29 so that the seat assembly support tube utilizes reference numeral 86. Again, Applicant respectfully requests that if this amendment is insufficient, that the Examiner provide further clarification of the required corrections.

B. Allowable Subject Matter

The Examiner stated that claims 11-13 were objected to as being dependant upon a rejected based claim but would be allowable if rewritten in independent form including all of the limitations of the base claims and any intervening claims. Further, claim 21 is allowed.

Applicant amended claim 1 to incorporate a wheel member as part of the seat assembly. Applicant believes this makes claim 1 in condition for allowance as this was one of the claim limitations rendering claim 21 allowable. Claim 10 was amended to include the limitations found in claim 11, which was found allowable. The remaining claims are dependent either directly or indirectly from claims 1 and 10 and Applicant believes that they are now in condition for allowance.

C. New Claims

New claim 22 has been added, which Applicant believes is patentable over the cited references. This new claim finds support in the subject specification, namely, the limitation regarding the resistance band finds support in the subject application on page 8, lines 19 and 20.

Page 12 of 12

II. CONCLUSION

In response to the Office Action dated April 6, 2006, claim 11 was cancelled, and claim 22 was added. Claims 1, 3, 8, 10, and 15 have been amended pursuant to 37 C.F.R. 1.121. If presentation of new claim 22 requires additional fees, the undersigned hereby authorizes the fee be deducted from deposit account 501210.

It is believed these amendments have placed the amended claims in conformance with the requirements of the Office Action. At this point, Applicant believes that the claims remaining in the case distinguish over the art cited and comply with the requirements of 35 U.S.C. §102, §103, and §112. As such, allowance of the claims is respectfully requested.

Respectfully submitted,

BROUSE MCDOWELLJuly 6, 2006
DateTelephone No.: (330) 535-5711
Fax No.: (330) 253-8601

649010.1

Heather M. Barnes
Heather M. Barnes, Esq.
Reg. No. 44,022

Customer #26781